

REMARKS

This application has been carefully considered in connection with the Examiner's Office Action dated September 9, 2004. Reconsideration and allowance are respectfully requested in view of the following.

Double Patenting Rejection

Claims 1-13 stand provisionally rejected under the judicially created doctrine of double patenting over Claims 1, 3-5 and 7-19 of co-pending U.S. Patent Application Ser. No. 09/772,545. In response, submitted herewith is a timely filed terminal disclaimer in compliance with 37 C.F.R. § 1.321(c). Accordingly, Applicants respectfully request the acceptance of the Terminal Disclaimer and withdrawal of the provisional rejection of Claims.

Response to Rejections under Section 103

In the Office Action dated September 9, 2004, the Examiner rejected claim 1-13 under Section 103 based principally on Frey et al. reference (U.S. Pat. No. 6,567,818) in combination with the Stal reference. The Frey reference is directed to implementing policies for memory management and fails to teach, disclosure, or suggest the present invention as claimed in claims 1-13. The present application is directed to a system for setting transactional behavior including a specific technique to propagate the transaction context by placing the transaction context in the service context of an IIOP message. The system allows for each individual system or server to set a transaction policy for that server. The transaction policy decides whether or not particular methods on the server will be operated under transactional control. Since each server determines whether a given method will operate under transactional control, multiple servers may treat the same method differently from a transactional point of view.

Specifically, independent claims 1, 2, 5, and 12 are directed to defining whether or not a method will be subject to any transaction control at all. Methods that are subject to control are determined by information obtained by the interceptor reading a file on the remote system, for example. The Frey reference is silent regarding how to determine or set whether or not a method is subject to transactional control. In fact, the Frey reference indicates that the transactional control is defined by ORB, not by a given system for that system. (Frey col. 18, lines 46-51) To the extent that Frey discusses the container making modifications related to methods, these relate

only to the length of time that certain elements may be persisted in memory and how many methods may be generated or running at one time. These modifications by the container are driven by the memory/virtual memory management focus of Frey, and not based on whether to exert transactional control over as claimed by Applicants. (Frey col. 11, lines 4-11)

In the present claims, neither the interceptor nor requestor are making the transactional control decisions. Instead, the transaction control decisions for a particular server may be provided in a file, such as a flat-file located on the server, for example. Thus, other servers looking to their own transaction files might treat transaction control of the same method differently. The Frey reference indicates that the container maintains the policies and where the container does not have the appropriate policies, then the system goes searching for other containers. (Frey col. 12, lines 17-21) The Frey reference states that the ORB sets up the particular context rather than having the containers implementing these responsibilities themselves. (Frey col. 18, lines 46-56) Neither of these techniques teach, disclose, or suggest applicant's invention of how to determine or set whether or not a method is subject to transactional control, or referencing a file unique to a server to determine the server's transactional policies. For these reasons, Applicants respectfully submit that claims 1-13 are allowable and Applicants earnestly seek such allowance.

Further, the present invention, as claimed in independent claims 2 and 12, relate to the placement of the transaction context on the service context on the IIOP message, which is a specific means of transporting the service context that is not taught by the Frey reference. Frey fails to teach, disclose, or suggest of how it handles transporting the transaction context, except to indicate that the context is "hanging off of the execution thread". (Frey col. 13, lines 16-18) Applicants are somewhat unclear regarding the term "hanging off" and therefore reluctant to characterize certain aspects of Frey's disclosure, other than to state that Frey lacks specificity, particularly with regard to functions such as propagation of service context information. In any event however, the Frey reference fails to teach or disclose placement on the service context of an IIOP message as claimed in Applicant's claims 2 and 12.

In rejecting this aspects of these claims, the Examiner points to Col. 23, Lines 40-50 in Frey which only mentions using IIOP protocol to establish communication for balancing workload, not placing the transaction context in the service context of an IIOP message. Further,

Attorney Docket No: IDF 1538 (4000-01800)

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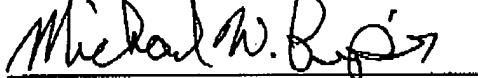
the Frey reference only discloses propagation of the context information by the LDAP or an LDAP server function from the name server into a DB2 database via an LDAP interface (Frey col. 37, lines 9-14) and that "DB2 then retrieves the transactional context" (Frey col. 37, lines 24-25). The present application claims a specific technique of propagation to the transactional context by placement on the service context of an IIOP message, which is not taught or disclosed by the cited references. For this reason, Applicants respectfully request that the Examiner withdraw the rejection of these claims and pass the same to issue.

Conclusion

Applicants respectfully submit that the present application is in condition for allowance for the reasons stated above. If the Examiner has any questions or comments or otherwise feels it would be helpful in expediting the application, he is encouraged to telephone the undersigned at (972) 731-2288.

The Commissioner is hereby authorized to charge payment of any further fees associated with any of the foregoing papers submitted herewith, or to credit any overpayment thereof, to Deposit Account No. 21-0765, Sprint.

Respectfully submitted,

Date: 12/9/2004

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